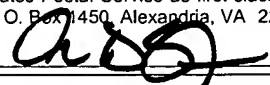




CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: January 24, 2005 Name: Andrew D. Stover, Reg. No. 38,629 Signature: 

BRINKS
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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Welch, et al

Appln. No.: 10/821,404

Filed: April 9, 2004

For: MOUNT FOR TRUCK MOUNTED
ATTENUATOR

Attorney Docket No: 33-1002

Examiner: Coletta, Lori L.

Art Unit: 3612

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment and Response to Restriction Requirement.
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

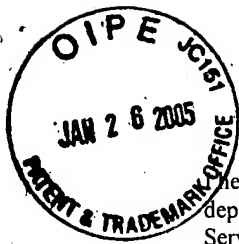
- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted

Date

1/24/05

Andrew D. Stover (Reg. No. 38,629)



1Fw

PATENT
Case No. 33-1002

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January 24, 2005

Date of Mailing

ANDREW D. STOVER, Reg. No. 38,629

Name of applicant, assignee or
Registered Representative

Signature

January 24, 2005

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Welch, et al.

Serial No.: 10/821,404

Filing Date: April 9, 2004

For: MOUNT FOR TRUCK MOUNTED
ATTENUATOR

Examiner: Coletta, Lori L.

Group Art Unit No.: 3612

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Dear Sir:

In response to the Examiner's restriction requirement mailed December 22, 2004,¹ Applicants elect elect/designate the following species:

¹ This Amendment and Response is being filed on the next business day following January 22, 2005, which fell on a Saturday. Accordingly, Applicants submit this filing is timely without a submission of any extension of time fees.

S/N 10/821,404

Ref. No.: 33-1002

Attenuator: FIGS. 1 and 41-42 (the crash cushion of FIGS. 1-11 with the interface and yoke of FIGS. 41-42).

Interface Element Yoke: FIGS. 38 and 41.

Interface Element: FIGS. 38 and 41.

Crash Cushion: FIGS. 2-11.

Applicants note that the above-designations do not entirely track the categories proffered by the Examiner. However, Applicants have made these designations to clarify some confusion resulting from the Examiner's designation of species. For example, Figs. 2-11 do not show an overall attenuator (Category 1) with a mounting structure. Conversely, Figures 2-11 do show a crash cushion (category 4), as do Figures 32, 33-35 and 36-37 (generic representation). In addition, the Examiner has not referred to the embodiment of the interface yoke element having an elongated slot as shown in FIGS. 1 and 25, or the yoke embodiment shown in FIG. 38.

After election, claims 1-6, 8-13, 15-27 and 29-35 are generic with respect to all of the above-referenced species proposed for election, and claims 7, 14 and 28 read on the elected species. Accordingly, all of the claims should remain in this application for examination.